

Chapter 3

SHORT CUTS IN LEGISLATIVE RESEARCH

Unfortunately, there are few short cuts to the process of legislative research discussed in chapter 2. One which was mentioned is the use of the ten-year compilations to narrow down the search. These compilations may be used to bracket the amendment which is being researched. For example, by checking the Revised Laws of Hawaii 1955 and the first publication of the *Hawaii Revised Statutes* in 1968, one may determine that an amendment being sought for occurred during the period between 1955 and 1967. If such a determination can be made, then only the session laws and legislative journals for that period need to be reviewed.

The compilations which are usually used are the Penal Code of 1850, Civil Code of 1859, Compiled Laws 1884, Civil Laws 1897, Penal Code 1897, and the Revised Laws of Hawaii 1905, 1915, 1925, 1935, 1945, and 1955. The *Hawaii Revised Statutes* was first issued in 1968 and contained the Revised Laws of Hawaii 1955 and all session law amendments through 1967; the 1976 replacement of the *Hawaii Revised Statutes* contained all session law amendments through 1976; the 1985 replacement of the *Hawaii Revised Statutes* contained all session law amendments through 1985; and the 1993 replacement of the *Hawaii Revised Statutes* contains all session law amendments through 1993.

Certain Session Law references appear in source notes throughout the *Hawaii Revised Statutes* which are not relevant to a substantive legislative amendment (i.e., an amendment which changes the meaning of a section) and legislative history research for those references may be unnecessary. If such Session Law references appear in a *Hawaii Revised Statutes* section for which they carry substantive relevance, they should be researched. The researcher must determine what is and what is not a substantive amendment and facility with this aspect of legislative research will come with practice.

For example: am L Sp 1959 2d, c 1, §11, tells the researcher that the Session Laws of Hawaii 1959, Second Special Session, Act 1, section 11, created the Department of Personnel Services. For substantive legislative history, this section is compiled at §26-5, *Hawaii Revised Statutes*. The Revisor of Statutes also has inserted this reference wherever the "Department of Personnel Services" was substituted for the "Department of Civil Service" in a statute. Such an insertion tells the researcher that a change was made and legally supports the change. In researching legislative history, such name or word changes usually are not of interest to the legislative researcher concerned with substantive amendments made to a *Hawaii Revised Statutes* section.

The following is a listing of the most often used of these Session Law references and the word changes made.

1. am L Sp 1959 2d, c 1, §11

Substituted the Department of Personnel Services for the Personnel Classification Board, the Department of Civil Service, and the Loyalty Board and the Director of Personnel Services for the Personnel Director.

2. am L Sp 1959 2d, c 1, §12

Substituted the Department of Accounting and General Services for the Board of Commissioners of Public Archives, the Disposal Committee, the Bureau of the Budget, and the Department of Public Works.

3. am L Sp 1959 2d, c 1, §14

Substituted the Department of Budget and Review for the Bureau of the Budget and the Director of the Budget for the Director of the Bureau of Budget.

4. am L Sp 1959 2d, c 1, §15

Substituted the Department of Treasury and Regulation for the Treasury Department and the Treasurer for the Treasurer of the Territory.

5. am L Sp 1959 2d, c 1, §16

Substituted the Department of Taxation for the Office of Tax Commissioner and the Director of Taxation for the Tax Commissioner.

6. am L Sp 1959 2d, c 1, §18

Substituted the Department of Education for the Department of Public Instruction.

7. am L Sp 1959 2d, c 1, §19

Substituted the Department of Health for the Board of Health and the Director of Health for the President of the Board of Health.

8. am L Sp 1959 2d, c 1, §20

Substituted the Department of Social Services for the Department of Public Welfare, the Department of Institutions, and the Bureau of Sight Conservation. Substituted the Director of Social Services for the Director of the Department of Public Welfare and the Department of Public Institutions.

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9. am L Sp 1959 2d, c 1, §21

Substituted the Department of Land and Natural Resources and the Board of Land and Natural Resources, where appropriate for the Board of Public Lands, the Hawaii Water Authority, the Commission on Groundwater Resources, the Hawaii Land Development Authority, and the Commission on Historical Sites. Substituted the Director of Land and Natural Resources for the head of the appropriate preceding bodies.

10. am L Sp 1959 2d, c 1, §22

Substituted the Department of Agriculture and Conservation for the Board of Commissioners of Agriculture and Forestry and the Hawaii Soil Conservation Committee. Substituted the Director of Agriculture and Conservation for the head of the appropriate preceding bodies.

11. am L Sp 1959 2d, c 1, §25

Substituted the Department of Economic Development for the Board of Commissioners of Agriculture and Forestry, Farm Loan Board, Economic Planning and Coordination Authority, and the Planning Office. Substituted the Director of Economic Development for the heads of the preceding bodies.

12. am L Sp 1959 2d, c 1, §26

Substituted the Department of Transportation for the Hawaii Aeronautic Commission, the Board of Harbor Commissioners, and the Highway Commission. Substituted the Director of Transportation for the heads of the preceding bodies.

13. am L Sp 1959 2d, c 1, §28

Substituted the Department of Defense for the Military Department.

14. am L 1961, c 132, §2

Substituted the Department of Agriculture for the Department of Agriculture and Conservation, the Board of Agriculture for the Board of Agriculture and Conservation, and the Director of Agriculture for the Director of Agriculture and Conservation.

15. am L 1963, c 2, §3

Substituted the Department of Planning and Economic Development for the Departments of Planning and of Economic Development and the Director of Planning and Economic Development for the Directors of Planning and of Economic Development.

16. am L 1963, c 10, §2
Substituted the Chairman of the Board of Land and Natural Resources for the Director of Land and Natural Resources.
17. am L 1963, c 114, §1
Substituted the Department of Budget and Finance for the Department of Budget and Review and the Director of Finance for the Director of Budget and Review.
18. am L 1963, c 114, §3
Substituted the Department of Regulatory Agencies for the Department of Treasury and Regulation and the Director of Regulatory Agencies for the Treasurer.
19. am L 1963, c 206, §2
Substituted the Chairman of the Board of Agriculture for the Director of Agriculture.
20. am L 1970, c 105, §5
Substituted the Department of Social Services and Housing for the Department of Social Services.
21. am L 1975, c 41, §1
Substituted Workers' Compensation for Workmen's Compensation.
22. am L 1977, c 191, §2; am L 1983, c 124, §15
Substituted Firefighter and Police Officer for Fireman and Policeman.
23. am L 1982, c 204, §8; am L 1983, c 124, §16
Substituted the Department of Commerce and Consumer Affairs for the Department of Regulatory Agencies and the Director of Commerce and Consumer Affairs for the Director of Regulatory Agencies.
24. am imp L 1984, c 90, §1
Substituted the appropriate noun for he, his, him, himself, she, her, hers, and herself.
25. am L 1985, c 269 (various sections)
Substituted Commissioner of Financial Institutions for Bank Examiner, Director, and Director of Regulatory Agencies.

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26. am L 1987, c 336, §7

Substituted the Department of Business and Economic Development for the Department of Planning and Economic Development and the Director of Business and Economic Development for the Director of Planning and Economic Development.

27. am L 1987, c 338, §10

Substituted the Department of Corrections for the Department of Social Services and Housing and the Director of Corrections for the Director of Social Services.

28. am L 1987, c 339, §4

Substituted the Department of Human Services for the Department of Social Services and Housing and the Director of Human Services for the Director of Social Services.

29. am L 1989, c 211, §8

Substituted the Department of Public Safety for the Department of Corrections and the Director of Public Safety for the Director of Corrections.

30. am L 1989, c 211, §9

Substituted the Department of Public Safety for the Department of Social Services and Housing and the Director of Public Safety for the Director of Social Services.

31. am L 1989, c 211, §10

Substituted the Director of Public Safety or the Department of Public Safety for Sheriff, Sheriffs, or the Office of the Sheriff.

32. am L 1989, c 266, §3

Substituted financial services loan, Financial Services Loan, or a financial services loan for industrial loan, Industrial Loan, or an industrial loan.

33. am L 1989, c 266, §4

Substituted financial services loan company or financial services loan companies for industrial loan and investment company or industrial loan and investment companies.

34. am L 1990, c 281, §11

Repeals L 1989, c 211, §10 (see item 31).

35. am L 1990, c 293, §8

Substituted the Department of Business, Economic Development, and Tourism for the Department of Business and Economic Development and the Director of Business, Economic Development, and Tourism for the Director of Business and Economic Development.

36. am L 1994, c 56, §21

Substituted the Department of Human Resources Development for the Department of Personnel Services and the Director of Human Resources Development for the Director of Personnel Services.

37. gen ch 1985 (or any year after 1985)

Delete item 24 “am imp L 1984, c 90, §1”. “gen ch” stands for gender change. Substituted the appropriate noun for he, his, him, himself, she, her, hers, herself, salesman, chairman, and similar gender specific terms. Generally, substitution made in 1985, but may be made in any later year. Basis for change is L 1984, c 90, §1.

38. am L 1996, c 299, §3

Substituted the Office of Planning for the Office of State Planning and the Director of the Office of Planning for the Director of the Office of State Planning.

The 1959 citations concern the reorganization of Hawaii government after statehood. Since Hawaii reduced some eighty plus bureaus, commissions, and agencies upon statehood to seventeen departments with different names, the 1959 citations occur in section source notes through the *Hawaii Revised Statutes*.

While the following cannot be considered a nonsubstantive amendment, it occurs in source notes throughout the *Hawaii Revised Statutes* and the legislative researcher may not wish to review the legislation if interested in other amendments to a statute.

am L 1997, c 383, §§5 to 71

Generally, added reciprocal beneficiary to the statute amended. In particular, section 19 substituted spouse or reciprocal beneficiary or like terms for spouse or like terms in numerous sections in chapter 560.